

PATENT  
Docket No. 212302000320

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Debra J. Gladister

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

In the application of:

Stefan MILTENYI et al.

Serial No.: 08/416,920

Filing Date: April 21, 1995

For: DIRECT SELECTION OF CELLS BY  
SECRETION PRODUCT

Examiner: R. Schwadron

Group Art Unit: 1644

FAX RECEIVED

AUG 23 2001

PETITIONS OFFICE

## AMENDMENT UNDER 37 C.F.R. §1.129

Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice of Appeal mailed January 20, 2000 via Express Mail and the Advisory Action dated March 17, 2000. This Response is accompanied by a first Request for Removing the Finality of an Office Action Pursuant to 37 C.F.R. § 1.129(a), the earliest effective United States filing date for the instant application being prior to June 8, 1993. Filed concurrently herewith are a Petition and fee for a five month extension of time, thereby extending the deadline for response from March 20, 2000 to August 21, 2000 (August 20, 2000 fell on Sunday). Accordingly, this response is timely filed. Reconsideration and allowance of